IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2165 OF 2007

Mr. Jamil K. Merchant] .. Petitioner

Versus

The State of Maharashtra] .. Respondent

Mr. Anil Desai for the petitioner.

Mrs. P.H. Kantharia, APP, for the respondent.

CORAM: S.B. MHASE &
SMT.V.K. TAHILRAMANI, JJ.

DATED: 19TH DECEMBER, 2007

P.C. :

1. Heard.

2. The complaint lodged in C.R.No.262 of 2007 by one Shri Vitthal Kamble, Police Constable, shows that at the time of the incidence there were two groups fighting amongst themselves on account of fixing of hoardings. No doubt the name of the petitioner is disclosed in a subsequent statement by the victim. However, the fact remains that the victim has implicated the petitioner. The Police ought to have registered the crime as against both the fighting factions. Now Shri Chandrakant Nath Gurav, Police Inspector, Malwani Police Station, Malad,

Mumbai instructs the Additional Public Prosecutor that the offence will also be registered as against the other group and both the CRs will be investigated together.

3. In view of this, we do not find it appropriate at this stage to entertain the Petition for quashing the F.I.R. However, we accept the statement of the Police Inspector Chandrakant Nath Gurav and dispose of the Petition.

Sd/-
[SMT.V.K. TAHILRAMANI, J.]

Sd/-
[S.B. MHASE, J.]